

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Western District of Texas

Filed 03/28/16
Clerk, U. S. District Court
Western District of Texas
By JM
Deputy

United States of America

v.

RODOLFO CASTILLO-VERASTEGUI AND XAVIER
ALBERTO CASTILLO

Defendant

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)
)
)
)

Case No. SA 16-MJ-250

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 3/24/2016 in the county of BEXAR in the WESTERN District of TEXAS, the defendant violated 21 U. S. C. § 841(a)(1), an offense described as follows:

POSSESSION WITH INTENT TO DISTRIBUTE METHAMPHETAMINE

PENALTY: 0 TO 20 YEARS IMPRISONMENT, UP TO \$1 MILLION FINE, MANDATORY 3 YEAR TERM OF SUPERVISED RELEASE, MANDATORY \$100 ASSESSMENT

This criminal complaint is based on these facts:
SEE ATTACHED AFFIDAVIT

✓ Continued on the attached sheet.


Complainant's signature

JASON STALLINGS, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/25/2016

City and state: SAN ANTONIO, TEXAS


Judge's signature

JOHN W. PRIMO, U.S. MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, JASON STALLINGS, being duly sworn, do hereby depose and state as follows:

1. I am currently employed as a Special Agent with the U.S. Drug Enforcement Administration (DEA) and am assigned to the DEA San Antonio District Office. The following is based on information provided to me by the individuals more fully identified below and from my own personal observations:

2. On March 24, 2016, Bexar County Sheriff K9 Deputy George Herrera was traveling west on US Hwy 90 approaching the interchange of IH 35 South. While Deputy Herrera was on the IH 35 South exit ramp, a gold Cadillac Escalade bearing Texas license plate GRM2397 made an unsafe lane change onto the IH 35 South exit ramp, cutting off Deputy Herrera. Deputy Herrera followed the vehicle onto IH 35 South and initiated his emergency lights at Theo Road. The vehicle exited the Theo Road exit ramp onto the IH 35 South frontage road. Deputy Herrera exited his marked unit and approached the driver side of the vehicle. Deputy Herrera made contact with the driver, identified as Rodolfo CASTILLO-VERASTEGUI, and informed CASTILLO-VERASTEGUI of the traffic violation. Deputy Herrera asked CASTILLO-VERASTEGUI for his Texas Driver License. CASTILLO-VERASTEGUI provided a Texas

Identification card. Deputy Herrera requested CASTILLO-VERASTEGUI to exit the vehicle. Deputy Herrera interviewed CASTILLO-VERASTEGUI and asked who the front seat passenger was. CASTILLO-VERASTEGUI identified the front seat passenger as "Xavier". While interviewing CASTILLO-VERASTEGUI, Deputy Herrera observed CASTILLO-VERASTEGUI to be acting very nervous. Deputy Herrera then walked over to the front passenger side of the vehicle and made contact with the passenger who was later identified as Xavier Alberto CASTILLO. Deputy Herrera asked Xavier CASTILLO for Xavier CASTILLO's name. Xavier CASTILLO provided Deputy Herrera with the name "Louis SANCHEZ-SANCHEZ". Due to the inconsistencies in both Xavier CASTILLO and CASTILLO-VERASTEGUI's stories, Deputy Herrera detained both of them. Deputy Herrera was granted consent to search by CASTILLO-VERASTEGUI. Deputy Herrera then deployed his canine, Bosco. Bosco was utilized to search the vehicle and alerted to a black backpack in the rear of the vehicle. After putting Bosco back into the marked unit, Deputy Herrera hand searched the black backpack. Inside the black backpack, Deputy Herrera recovered a gray plastic bag containing two (2) bundles. Each bundle contained a crystal like substance which was crystal methamphetamine. The crystal methamphetamine was inside a plastic Ziploc bag then wrapped in black tape.

3. Deputy Herrera then Mirandized both CASTILLO-VERASTEGUI

and Xavier CASTILLO on video. Deputy Herrera advised dispatch to have an on duty narcotic investigator to make his location. Task Force Officer Bryan Smith arrived on scene to assist Deputy Herrera. TFO Smith spoke with CASTILLO-VERASTEGUI and asked CASTILLO-VERASTEGUI who the backpack belonged to. CASTILLO-VERASTEGUI stated that the backpack belonged to him but did not know how the narcotics got into the backpack. Xavier CASTILLO stated that he did not speak English. Both CASTILLO-VERASTEGUI and Xavier CASTILLO were transported to the DEA San Antonio District Office for processing. During their processing it was found that Xavier CASTILLO was positively identified and spoke English. Xavier CASTILLO understood his Miranda Rights and stated that the reason he lied about his name was because he had an active felony arrest warrant out of Houston, Texas. After interviewing CASTILLO-VERASTEGUI and Xavier CASTILLO, they were transported to the GEO Federal Holding Facility pending their initial hearings.

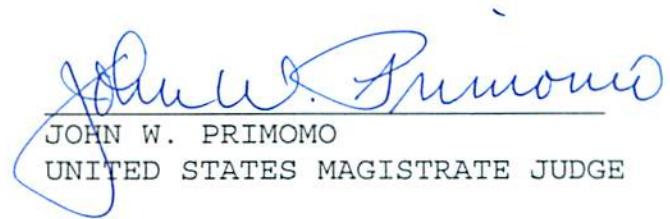
4. The crystal methamphetamine had a gross weight of approximately 1,944.3 grams and field tested positive as methamphetamine. I know from my experience and training that this

quantity of methamphetamine is consistent with and evidences the intent to distribute.



JASON STALLINGS, DEA

Subscribed and sworn to before me on March 25, 2016.



JOHN W. PRIMOMO
UNITED STATES MAGISTRATE JUDGE